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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,405	08/01/2003	Michael James Paquette	4860P2994	2934

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EXAMINER

SAJOUS, WESNER

ART UNIT	PAPER NUMBER
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2676

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/632,405

Applicant(s)

PAQUETTE, MICHAEL JAMES

Examiner

Sajous Wesner

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-57 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6-8, 14-15, 20-22, 25-27, 33-34, 39-41 and 44-46, 52-53 is/are rejected.
- 7) ☒ Claim(s) 4, 5, 9-12, 16-19, 23, 24, 28-32, 35-38, 42, 43, 47-51 and 54-57 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 6-7, 20, 25-26, and 44-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Deering (US 20020122044).

Considering claim 1, Deering discloses adjusting, according to an elapsed time, color correction parameters a plurality of times during a time period of a length (e.g., *correct for time variation in color presentation for a corresponding display device in a particular time interval, and periodically repeat the correction in response to a user request*. See paragraph 215 in light of paragraphs 214 and 235).

Deering lacks specific recitation for “receiving a first time length”.

Nonetheless, it is noted that since in Deering a particular time interval is required to perform the correction (see paragraph 215), and since the system performing the color correction is automated (see fig. 1), it is imperative that a time length or time duration be provided to the automated system, for a particular time period is required to complete the correcting task, wherein the time the system begins and ends the color correction task corresponds to the first time length.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Deering system to include the receipt of a first

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time to adjust color correction parameters; in order to allow a user to control the amount of time it takes a system to perform a predetermined task.

As per claim 6, Deering discloses performing color correction according to the color correction parameters. See paragraph 235.

Re claim 7, Deering discloses adjusting the color correction parameters comprises instructing a graphics-processing unit (e.g., item 112 of fig. 2) to adjust the color correction parameters according to the elapsed time (as implied in paragraph 215, page 17).

Claim 20 is a computer program that performs the method of claim 1. This being the case, claim 20 is rejected under the same rationale as claim 1.

Claims 25-26 are rejected under the same rationale as claims 6-7, respectively.

The invention of claim 39 is a system claim that performs the method of claim 1. This being the case, claim 39 is rejected under the same rationale as claim 1.

Claims 44-45 are system claims that contain the features of claims 6-7; they are, therefore, rejected under the same rationale given above for claims 6 and 7, respectively.

3. Claims 2-3, 21-22, and 40-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Deering (US 20020122044) in view of Bilbrey (US 5227863).

Re claims 2-3, Deering fails to teach a look up table for gamma correction; and a real time clock, which measures time during production of the visual effect; and blending the input color signals with a color according to the elapsed time.

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Bilbrey teaches a look up table for gamma correction (see col. 14, lines 12-45); and a real time clock, which measures time during production of the visual effect (see col. 16, lines 39-42) ; and blending the input color signals with a color according to the elapsed time (see col. 99, lines 52 to col. 100, line 6).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Deering system to include the features of Bilbrey; in order to provide a system that perform a conversion between multiple color systems or signal systems (see Bilbrey's col. 99, lines 23-25) and to provide a system that compensate for non-linear characteristics of video sources at different signal levels (see Bilbrey's col. 107, lines 51-53).

Claims 21-22 are system claims that contain the features of claims 2-3; they are, therefore, rejected under the same rationale as claims 2-3.

Claims 40-41 are system claims that contain the features of claims 2-3; they are, therefore, rejected under the same rationale as claims 2-3.

4. Claims 8, 27, and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Deering (US 20020122044) in view of Greenberg (US 661260).

Regarding claim 8, Deering fails to teach a frequency for adjusting the color correction parameters is determined according to a refreshing frequency for displaying, on the display, input color signals corrected by the color correction parameters.

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Deering, at col. 14, lines 40-53, discloses a frequency for adjusting the color correction parameters is determined according to a refreshing frequency for displaying, on the display, input color signals corrected by the color correction parameters.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Deering system to include the features of Greenberg, in order to provide a system that is reliable, low in cost and which has improved silicon area usage. See Greenberg's col. 2, lines 61-63.

Claims 27 and 46 contain the features of claim 8; they are, therefore, rejected under the same rationale as claim 8.

5. Claims 13-14, 33-34 and 52-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Deering (US 20020122044) in view of Munson (US 5648814).

Regarding claims 13 and 14, Deering discloses most claimed features of the invention; except for the claimed of restoring, the color correction parameters to values that the color correction parameters have before the time period based on expiration of a reservation time period.

Munson discloses restoring, the color correction parameters to values that the color correction parameters have before the time period based on expiration of a reservation time period. See abstract, fig. 4, items 128-130, and col. 1, line 65 through col. 2, line 17, and col. 4, lines 12-25 and lines 59-67.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Deering system to include the features of Munson

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in order to have a desirable and better approach for the function of a video conferencing system to adjust for brightness and color balance. See Munson's col. 1, lines 57-61.

Claims 33-34, and 52-53 contain the features of claims 13-14. they are, therefore, subject to rejection for the same reason as claims 13-14.

6. Claims 13, 33, and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Deering (US 20020122044) in view of Yakata et al. (US 6828497).

Regarding claim 13, Deering discloses most claimed features of the invention; except for "restoring, the color correction parameters to values that the color correction parameters have before the time period.

Yakata teaches restoring, the color correction parameters to values that the color correction parameters have before the time period. See col. 6, lines 19-29.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Deering system to include the features of Yakata; in order to reinstate the defaults parameters previously determined by the manufacturer.

Claims 33, and 52 contain the features of claim 13. they are, therefore, subject to rejection for the same reason as claim 13.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1, 6-7, 13-14, 20, 25-26, 33-34, 44-45 and 52-53 are rejected under 35 U.S.C. 102(b) as being anticipated by Munson (US 5648814).

Considering claim 1, Munson discloses receiving a first time length (see fig. 4, items 122-124); and adjusting, according to an elapsed time, color correction parameters a plurality of times during a time period of a length. See fig. 4, items 126-140, and abstract and col. 1, line 65 through col. 2, line 17, and col. 4, lines 12-25 and lines 59-67.

As per claims 13-14, 33-34 and 52-53, Munson discloses restoring, the color correction parameters to values that the color correction parameters have before the time period based on expiration of a reservation time period. See abstract, fig. 4, items 128-130, and col. 1, line 65 through col. 2, line 17, and col. 4, lines 12-25 and lines 59-67.

As per claim 6, Munson discloses performing color correction according to the color correction parameters. See fig. 4 and col. 1, line 65 through col. 2, line 17.

Re claim 7, Munson discloses adjusting the color correction parameters comprises instructing a graphics-processing unit (e.g., item 32 of fig. 3) to adjust the color correction parameters according to the elapsed time (as implied in col. 1, line 65 through col. 2, line 17).

Claim 20 is a computer program that performs the method of claim 1. This being the case, claim 20 is rejected under the same rationale as claim 1.

Claims 25-26 are rejected under the same rationale as claims 6-7, respectively.

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The invention of claim 39 is a system claim that performs the method of claim 1. This being the case, claim 39 is rejected under the same rationale as claim 1.

Claims 44-45 are system claims that contain the features of claims 6-7; they are, therefore, rejected under the same rationale given above for claims 6 and 7, respectively.

Allowable Subject Matter

9. Claims 4-5, 9-12, 16-19, 23-24, 28-32, 35-38, 42-43 and 47-51, 54-57 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any response to this action should be mailed to:

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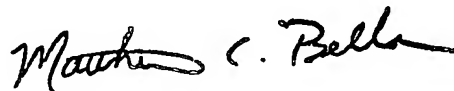
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Hand-held delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, 6th floor (receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wesner Sajous whose telephone number is (703) 308-5857. The examiner can be reached on Mondays thru Thursdays and on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, Matthew Bella, can be reached at (703) 308-6829. The fax phone number for this group is (703) 308-6606.

Wesner Sajous

A handwritten signature in black ink that reads "Matthew C. Bella". The signature is fluid and cursive, with the first name "Matthew" being more prominent than the last name "Bella".

December 8, 2004

**MATTHEW C. BELLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600**